

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

**FAMILY TRUST SERVICES LLC,
STEVEN REIGLE, REGAL HOMES
CO., BILLY GREGORY, JOHN
SHERROD, and CARL CHAMBERS
on behalf of themselves and those
similarly situated,**

PLAINTIFFS,

v.

**CHARLES E. WALKER, JON PAUL
JOHNSON, JULIE COONE,
NATIONWIDE INVESTMENTS LLC,
and MERDAN IBRAHIM,
DEFENDANTS.**

CIVIL No. :

Judge:

NOTICE OF REMOVAL TO FEDERAL COURT

* * * * *

Charles E. Walker (“Debtor”), as Debtor¹ with a confirmed Chapter 11 Plan of Reorganization (the “Plan”) pursuant to 28 U.S.C. §1452(a) gives notice of removal of this State Court action described herein to the district court for the Middle District of Tennessee, Nashville Division, to be referred to the bankruptcy court by the automatic reference.

¹ In re: Charles E. Walker, Chapter 11 Case No. 3:16-BK-03304, Middle Tennessee Bankruptcy Court (administratively closed on June 4, 2018).

1. On June 11, 2017, the Trustee's Chapter 11 Plan of Reorganization was confirmed by the Bankruptcy Court. Doc. No. 630 (plan) and Doc. No. 633 (order confirming plan).

2. On February 22, 2017, a class-action settlement agreement was approved by the United States Bankruptcy Court. Doc. No. 514.

3. On September 26, 2017, an ORDER was entered by the United States Bankruptcy Court enforcing the class-action settlement agreement.

4. On or about August 31, 2018, the class-action plaintiffs' counsel filed the attached pleading. *Exhibit A*.

5. This pleading was not served on the Debtor or Jon Paul Johnson. Instead the Plaintiffs' attorney by fraud, subterfuge and in direct violation of the discharge injunction and bankruptcy court order filed the attached motion to add the Debtor and released/settled party Jon Paul Johnson back to the class-action litigation after receiving an \$850,000 settlement from the Debtor, Mr. Johnson and REO Holdings, LLC.

6. Debtor learned that this motion had been placed on the Tennessee Business Court's docket and automatically granted pursuant to local Davidson County Court procedures.

7. The case is styled FAMILY TRUST SERVICES LLC, STEVEN REIGLE, REGAL HOMES CO., BILLY GREGORY, JOHN SHERROD, and CARL CHAMBERS, on behalf of themselves and those similarly situated, Plaintiffs, v.

CHARLES E. WALKER, JON PAUL JOHNSON, JULIE COONE, NATIONWIDE INVESTMENTS, LLC, and MERDAN IBRAHIM, Defendants.

8. The case number is 15-780-BC.

9. The state court of removal is TENNESSEE BUSINESS COURT, IN THE TENNESSEE CHANCERY COURT FOR THE TWENTIETH JUDICIAL DISTRICT AT NASHVILLE, BUSINESS COURT.

10. All papers and filings will be uploaded to the Court's PACER system in this case as soon as possible. Copies are available from undersigned upon request.

11. This case is properly removed under 28 U.S.C. § 1452(a).

12. The Bankruptcy Code provides that "the confirmation of a plan . . . discharges the debtor from any debt that arose before the date of such confirmation" and that "after confirmation of a plan, the property dealt with by the plan is free and clear of all claims and interests of creditors." 11 U.S.C. § 1141(c), (d)(1)(A). Moreover, the discharge "operates as an injunction against the commencement or continuation of an action, the employment of process, or an act, to collect, recover or offset any such debt as a personal liability of the debtor." *Id.* § 524(a)(2). *Alderwoods Grp., Inc. v. Garcia*, 682 F.3d 958, 965, 23 Fla. L. Weekly Fed. C 1088 (11th Cir. 2012); *In re Troutman Enters, Inc.*, 253 B.R. 8, 11 (B.A.P. 6th Cir. 2000).

14. This is a core proceeding under 28 U.S.C. § 157(b)(2)(I) and (O). Therefore, no consent is necessary to the entry of final orders and judgments by the bankruptcy court.

13. Promptly after the filing hereof, the undersigned will file a copy of this NOTICE OF REMOVAL TO FEDERAL COURT with the Clerk of the State Court where the action was pending.

Date: September 13, 2018

Respectfully submitted,

s/Charles E. Walker -
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Defendant/Debtor

CERTIFICATE OF SERVICE:

I hereby certify that on September 13, 2018, I electronically filed the NOTICE OF REMOVAL TO FEDERAL COURT with the Clerk of the Court using the CM/ECF system, and have sent copies by U.S. Mail to the following parties:

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